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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GERARDO RODRIGUEZ PACHECO, an
individual; and minors A.R, N.R. and G.R.,
by and through their Guardian Ad Litem,
MAYRA VILLASENOR.

Plaintiffs,

v.

CITY OF STOCKTON, a municipal entity;
CHRISTOPHER KNIGHT, in his individual
capacity as a police officer for the Stockton
Police Department; RICARDO
ALTAMIRANO, in his individual capacity
as a police officer for the Stockton Police
Department; RYAN OGBURN, in his
individual capacity as a police officer for the
Stockton Police Department; BENJAMIN
RATZLAFF, in his individual capacity as a
police officer for the Stockton Police
Department; and DOES 1-50, inclusive.

Defendants.

Case No.: 2:20-cv-01404-TLN-KJN

**STIPULATION AND ORDER TO
MODIFY SCHEDULING ORDER**

Pursuant to Federal Rule of Civil Procedure (“Rule”) 16, subdivision (b)(4), Plaintiff Gerardo Rodriguez Pacheco, an individual; and minors A.R, N.R. and G.R. (collectively, “Plaintiffs”) ; and Defendants City of Stockton, Christopher Knight, Ricardo Altamirano, Ryan Ogburn and Benjamin Ratzlaff (collectively, “Defendants”) (altogether collectively, the “Parties”); by and through their respective counsel in the above-captioned matter; have conferred, agree, and hereby stipulate as follows:

WHEREAS, on August 11, 2022, this Court ordered the following litigation deadlines:

- Designation of Expert Witnesses due by November 23, 2022;
- Rebuttal Expert Witnesses due by December 5, 2022;
- Expert Discovery cut-off is January 4, 2023;
- Dispositive Motions filed by March 9, 2023.

WHEREAS, on September 28, 2022, the Parties participated in a Settlement Conference before United States Magistrate Judge Kendall J. Newman, during which time the Parties were unable to settle this matter. (ECF No. 36.)

WHEREAS, on October 3, 2022, this Court ordered a Further Settlement Conference, which is scheduled to proceed on January 10, 2023. (ECF No. 39.)

WHEREAS, Rule 16, subdivision (b), permits a scheduling order to be modified for good cause.

WHEREAS, Plaintiffs contend that they need additional time to evaluate Plaintiffs’ past and future medical / mental health needs and costs.

WHEREAS, Plaintiffs will need beyond the November 23, 2022 Expert Witness Designation deadline to designate their expert witnesses.

WHEREAS, the parties believe that a brief continuance of the pending deadlines will allow them to better prepare for and participate in the further MSC scheduled for January 10, 2023.

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WHEREAS, Defendants associated in new counsel, Kevin E. Gilbert, Esq., as counsel of record on October 28, 2022. (ECF No. 40.)

WHEREAS, the Parties agree and respectfully contend that there is good cause under Rule 16, subdivision (b), for this Court to modify the scheduling order to permit additional time to retain experts and complete expert disclosures and discovery..

WHEREFORE, the Parties hereby stipulate and respectfully request that this Court modify the following litigation deadlines as follows:

- Designation of Expert Witnesses due by March 10, 2023;
- Rebuttal Expert Witnesses due by April 14, 2023;
- Expert Discovery cut-off is May 26, 2023;
- Dispositive Motions filed by June 23, 2023.

IT IS SO STIPULATED.

Dated: November 9, 2022

POINTER & BUELNA, LLP

By: /s/ *Patrick M. Buelna*

Patrick M. Buelna
Attorney for Plaintiffs

Dated: November 9, 2022

THE SLATER LAW FIRM, APC

By: /s/ *Michael A. Slater*

Michael A. Slater
Attorney for Plaintiffs

Dated: November 9, 2022

ORBACH HUFF + HENDERSON LLP

By: /s/ *Kevin E. Gilbert*

Kevin E. Gilbert
Attorney for Defendants

ATTESTATION OF CONCURRENCE IN FILING

In accordance with Eastern District Civil Local Rule 131(e), I, Michael A. Slater, attest that I have obtained concurrence in the filing of this documents from the other signatory listed above.

Dated: November 9, 2022

By: /s/ *Michael A. Slater*
Michael A. Slater

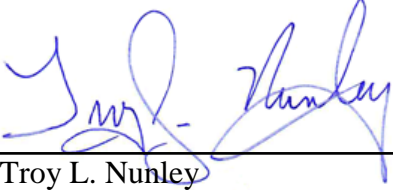
ORDER

Pursuant to the above stipulation of the parties, IT IS ORDERED that the following litigation deadlines are modified as follows:

- Designation of Expert Witnesses due by March 10, 2023;
- Rebuttal Expert Witnesses due by April 14, 2023;
- Expert Discovery cut-off is May 26, 2023;
- Dispositive Motions filed by June 23, 2023.

IT IS SO ORDERED.

Dated: November 9, 2022



Troy L. Nunley
United States District Judge